

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
PORTLAND DIVISION

INFUSION PARTNERS,

Plaintiff,

v.

**OTONO NETWORKS, INC., and
EMIR ABOULHOSN,**

Defendants.

No. 3:16-cv-02288-AC

OPINION AND ORDER

MOSMAN, J.,

On April 12, 2017, Magistrate Judge John V. Acosta issued his Findings and Recommendation (“F&R”) [27], recommending that I GRANT Defendants’ Motion to Dismiss [14] for lack of personal jurisdiction. He also recommended that I DENY Plaintiff’s request for additional discovery. Neither party objected to the F&R.

DISCUSSION

The magistrate judge makes only recommendations to the court, to which any party may file written objections. The court is not bound by the recommendations of the magistrate judge, but retains responsibility for making the final determination. The court is generally required to make a de novo determination regarding those portions of the report or specified findings or recommendation as to which an objection is made. 28 U.S.C. § 636(b)(1)(C). However, the court is not required to review, de novo or under any other standard, the factual or legal conclusions of

the magistrate judge as to those portions of the F&R to which no objections are addressed. *See Thomas v. Arn*, 474 U.S. 140, 149 (1985); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003). While the level of scrutiny under which I am required to review the F&R depends on whether or not objections have been filed, in either case, I am free to accept, reject, or modify any part of the F&R. 28 U.S.C. § 636(b)(1)(C).

Upon careful review, I agree with Judge Acosta's recommendation and ADOPT the F&R [27] as my own opinion. Plaintiff's case is DISMISSED without prejudice for lack of personal jurisdiction. Plaintiff's request for additional discovery is DENIED.

IT IS SO ORDERED.

DATED this 9th day of May, 2017.

/s/ Michael W. Mosman

MICHAEL W. MOSMAN
Chief United States District Judge